

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported the nominations of Caryn A. Wag-

ner, of Virginia, to be Under Secretary of Homeland Security for Intelligence and Analysis, and Philip S. Goldberg, of the District of Columbia, to be Assistant Secretary of State for Intelligence and Research.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 24 public bills, H.R. 4259–4282; and 1 resolution, H. Con. Res. 220; were introduced. **Pages H14742–43**

Additional Cosponsors: **Pages H14743–44**

Reports Filed: Reports were filed today as follows:

H. Res. 964, providing for further consideration of the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, and to regulate the over-the-counter derivatives markets (H. Rept. 111–370);

In the matter of Marc Goldberg (H. Rept. 111–371); and

H.R. 2843, to provide for the joint appointment of the Architect of the Capitol by the Speaker of the House of Representatives, the President pro tempore of the Senate, the Majority and Minority Leaders of the House of Representatives and Senate, and the chairs and ranking minority members of the committees of Congress with jurisdiction over the Office of the Architect of the Capitol (H. Rept. 111–372, Pt. 1). **Page H14742**

Speaker: Read a letter from the Speaker wherein she appointed Representative Blumenauer to act as Speaker Pro Tempore for today. **Page H14447**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, December 8th:

Expressing the sense of the House of Representatives that Congress should provide increased Federal funding for continued type 1 diabetes research: H. Res. 35, to express the sense of the House of Representatives that Congress should provide increased Federal funding for continued type 1 diabetes research; **Page H14461**

Ann Marie Blute Post Office Designation Act: H.R. 4017, to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the “Ann Marie Blute

Post Office”, by a $\frac{2}{3}$ recorded vote of 419 ayes with none voting “no”, Roll No. 950; and **Page H14480**

Expressing support for the designation of a National Prader-Willi Syndrome Awareness Month to raise awareness of and promote research into this challenging disorder: H. Res. 55, to express support for the designation of a National Prader-Willi Syndrome Awareness Month to raise awareness of and promote research into this challenging disorder. **Page H14496**

Consolidated Appropriations Act, 2010—Conference Report: The House agreed to the conference report to accompany H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, by a yeas-and-nays vote of 221 yeas to 202 nays with 1 voting “present”, Roll No. 949. **Pages H14450–80**

H. Res. 961, the rule providing for consideration of the conference report, was agreed to by a yeas-and-nays vote of 221 yeas to 200 nays, Roll No. 948, after the previous question was ordered by a yeas-and-nays vote of 227 yeas to 187 nays, Roll No. 947. **Pages H14460–61**

A point of order was raised against the consideration of H. Res. 961 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H14450–51**

Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules: The House agreed to H. Res. 962, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, by a yeas-and-nays vote of 239 yeas to 183 nays, Roll No. 951, after agreeing to order the previous question without objection. **Pages H14480–87**

Wall Street Reform and Consumer Protection Act of 2009: The House resumed consideration of H.R. 4173, to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, and to regulate the over-the-counter derivatives markets.

Consideration is expected to resume tomorrow, December 11th.

Pages H14487–H14738

Agreed to:

Peterson amendment (No. 3 printed in H. Rept. 111–370) that makes sundry changes to the bill;

Pages H14682–H14709

Peterson amendment (No. 4 printed in H. Rept. 111–370) that provides that the CFTC would define the terms “Commercial Risk”, “operating risk”, and “balance sheet risk” for purposes of the Commodity Exchange Act;

Pages H14709–10

Matsui amendment (No. 10 printed in H. Rept. 111–370) that requires any mortgage servicer or lender participating in the Making Home Affordable Program, to report to the Department of Treasury on a monthly basis. The Department shall make such a report available on their website within two weeks of receiving such information for public viewing. The report to Treasury shall include, but not limited to the following, with respect to the Making Home Affordable Plan: (A) the number of loan modification requests received; (B) number of loan modification requests being processed; (C) the number of loan modification requests that have been approved; (D) the number of loan modification requests that have been denied. The amendment gives the Secretary of Treasury authority to publicly release any other relevant data the Secretary deems necessary;

Pages H14721–23

Frank (MA) manager’s amendment (No. 1 printed in H. Rept. 111–370), as modified, that makes sundry changes to the bill (by a recorded vote of 240 ayes to 182 noes, Roll No. 953);

Page H14729

Lynch amendment (No. 5 printed in H. Rept. 111–370) that provides rules toward the equitable governance of clearing houses and swap exchange facilities (by a recorded vote of 228 ayes to 202 noes, Roll No. 955);

Pages H14710–12, H14730–31

Murphy (NY) amendment (No. 6 printed in H. Rept. 111–370) that replaces the current definition of Major Swap Participant with the definition that was reported out of the House Agriculture Committee (by a recorded vote of 304 ayes to 124 noes, Roll No. 956); and

Pages H14712–14, H14731

Frank (MA) en bloc amendment consisting of the following amendments printed in H. Rept. 111–370: Paulsen amendment (No. 11) that clarifies that the non-voting members of the systemic risk council shall not be excluded from participating in any of the Council’s proceedings, meetings, discussions, and deliberations; Burgess amendment (No. 20) that strikes the word “orderliness” from the list of items the Financial Services Oversight Council must advise Congress on how to improve financial regulatory developments; Burgess amendment (No. 21) that indexes to inflation any mitigatory action

imposed by the Financial Services Oversight Council involving the sale, divestiture or transfer of more than \$10 billion in total assets by a financial holding company subject to stricter standards; Burgess amendment (No. 22) that requires the Federal Reserve to define by rule or regulation the term “significantly undercapitalized” at a threshold the Fed determines to be prudent for the effective monitoring, management and oversight of the financial system; Burgess amendment (No. 23) that sets an outer time limit of two years to the amount of time the GAO can use to audit the Federal Reserve; Burgess amendment (No. 24) that removes from the GAO study of the SEC’s “revolving door” the requirement to determine if employees of the SEC who are later employed by financial institutions “have engaged in information sharing”; Dent amendment (No. 27) that states a sense of Congress that mortgage lenders should provide loan applicants with a simplified summary of their loan contracts, including an easy-to-read list of the basic loan terms, payment information, the existence of prepayment penalties or balloon payments, and escrow information; Moore (KS) amendment (No. 28) that specifies only the tax policies, licensing and other regulatory requirements of the home state of the policyholder govern a surplus lines transaction, as well as allows sophisticated commercial entities direct access to the surplus lines market; the amendment also prohibits states from voiding established, contractual arbitration agreements between reinsurers and primary companies; Murphy (NY) amendment (No. 34) that repeals a prohibition on the payment of interest on business checking accounts; and Herseth Sandlin amendment (No. 25) that directs the SEC to take into account the relative risk profile of different classes of funds when it is developing the new registration regime for private funds.

Pages H14734–38

Rejected:

Sessions amendment (No. 2 printed in H. Rept. 111–370) that sought to strike provisions which create a new private right of action against credit rating agencies; the amendment contains enforcement of credit rating agencies to the SEC (current practice) (by a recorded vote of 172 ayes to 257 noes, Roll No. 954);

Pages H14729–30

Frank (MA) amendment (No. 7 printed in H. Rept. 111–370) that sought to create authority for the prudential regulators, the CFTC and the SEC, to set margin in swap and security-based swap transactions involving end users (by a recorded vote of 150 ayes to 280 noes, Roll No. 957);

Pages H14714–16, H14731–32

Stupak amendment (No. 8 printed in H. Rept. 111–370) that sought to require transparency in swaps contracts by requiring all non-cleared swaps

be executed on a registered swap execution facility (by a recorded vote of 98 ayes to 330 noes, Roll No. 958); and

Pages H14716–18, H14732–33

Stupak amendment (No. 9 printed in H. Rept. 111–370) that sought to allow the Commodity Futures Trading Commission and the Securities and Exchange Commission the authority to ban abusive swaps, amends any proposed commercial risk definition to disregard balance sheet risk, and maintains any illegal swap entered into after enactment of this Act will not be valid (by a recorded vote of 150 ayes to 279 noes, Roll No. 959).

Pages H14718–21, H14733

Proceedings Postponed:

Kanjorski amendment (No. 12 printed in H. Rept. 111–370) that seeks to strike the provisions exempting public companies with less than \$75 million in market capitalization from the requirements of the Sarbanes-Oxley Act related to the external audit of internal controls and

Pages H14723–26

McCarthy (CA) amendment (No. 14 printed in H. Rept. 111–370) that seeks to strike section 6012 (relating to “Effect of Rule 436(G)”). The amendment would strike increased liability language that would be a barrier to entry, inhibiting increased competition in the rating agency market.

Pages H14726–28

H. Res. 964, the rule providing for further consideration of the bill, was agreed to by a yea-and-nay vote of 238 yeas to 186 nays, Roll No. 952, after the previous question was ordered without objection.

Pages H14495–96

United States-China Economic and Security Review Commission—Reappointment: Read a letter from Representative Boehner, Minority Leader, in which he reappointed Mr. Peter T. R. Brookes of Virginia and Mr. Daniel M. Slane of Ohio to the United States-China Economic and Security Review Commission, effective January 1, 2010.

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Quorum Calls—Votes: Five yea-and-nay votes and eight recorded votes developed during the proceedings of today and appear on pages H14460–61, H14461, H14479–80, H14480, H14487, H14495–96, H14729, H14730, H14730–31, H14731, H14732, H14732–33 and H14733. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:30 p.m.

Committee Meetings

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held an oversight hearing on the Smithsonian Institution. Testimony was heard from Mark L. Goldstein, Di-

rector, Physical Infrastructure Team, GAO; and the following officials of the Smithsonian Institution: A. Sprightley Ryan, Inspector General; and G. Wayne Clough, Secretary.

STATUS OF ARMY AND MARINE CORPS RESET REQUIREMENTS

Committee on Armed Services: Subcommittee on Readiness, Air and Land Forces, and the Subcommittee on Seapower and Expeditionary Forces continued hearings on Status of Army and Marine Corps Reset Requirements, Part II. Testimony was heard from the following officials of the Department of Defense: GEN Peter W. Chiarelli, USA, Vice Chief of Staff, Department of the Army; and GEN James F. Amos, USMC, Assistant Commandant, U.S. Marine Corps.

DRINKING WATER AND PUBLIC HEALTH IMPACTS OF COAL COMBUSTION WASTE DISPOSAL

Committee on Energy and Commerce: Subcommittee on Energy and Environment held a hearing entitled “Drinking Water and Public Health Impacts of Coal Combustion Waste Disposal.” Testimony was heard from public witnesses.

U.S. STRATEGY IN AFGHANISTAN

Committee on Foreign Affairs: Continued hearings on U.S. Strategy in Afghanistan, Part II. Testimony was heard from Karl W. Eikenberry, U.S. Ambassador to Afghanistan, Department of State; and GEN Stanley A. McChrystal, Commander, International Security Assistance Force (ISAF) and Commander, U.S. Forces Afghanistan (USFOR–A), Department of Defense.

MOVING MORE EFFECTIVE IMMIGRATION DETENTION MANAGEMENT

Committee on Homeland Security: Subcommittee on Border, Maritime, and Global Counterterrorism held a hearing entitled “Moving More Effective Immigration Detention Management.” Testimony was heard from Dora Schiro, Commissioner, Department of Correction, New York City; and public witnesses.

JUDGE PORTEOUS IMPEACHMENT

Committee on the Judiciary: Task Force on Judicial Impeachment continued possible Impeachment of United States District Judge G. Porteous, Jr. Part III. Testimony was heard from Alan Baron, Special Impeachment Counsel, Committee on the Judiciary; and public witnesses.

EXAMINING THE STATE OF JUDICIAL RECUSALS AFTER CAPERTON V. A. T. MASSEY

Committee on the Judiciary: Subcommittee on Courts and Competition Policy held a hearing on Examining the State of Judicial Recusals after *Caperton v.*